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Docket No. L-00000D-04-0127

BEFORE THE ARIZONA CORPORATION COMMISSION

Arizona Corporation Commission

DOCKETED

MAY 05 2005

COMMISSIONERS

JEFF HATCH-MILLER, Chairman
WILLIAM A. MUNDELL
MARC SPITZER
MIKE GLEASON
KRISTIN K. MAYES

DOCKETED BY

NR

IN THE MATTER OF THE APPLICATION OF
ARIZONA PUBLIC SERVICE COMPANY IN
CONFORMANCE WITH THE
REQUIREMENTS OF ARIZONA REVISED
STATUTES SECTION
40-360, et seq., FOR A CERTIFICATE OF
ENVIRONMENTAL COMPATIBILITY
AUTHORIZING THE WEST VALLEY
NORTH 230KV TRANSMISSION LINE
PROJECT, INCLUDING THE
CONSTRUCTION OF APPROXIMATELY 25
MILES OF 230KV TRANSMISSION LINES
AND TWO SUBSTATIONS IN MARICOPA
COUNTY, ARIZONA, ORIGINATING AT
THE TS2 SUBSTATION IN SECTION 25
TOWNSHIP 3 NORTH, RANGE 2 WEST,
G&SRB&M AND CONTINUING TO THE
PROPOSED TS1 SUBSTATION IN SECTION
20, TOWNSHIP 4 NORTH, RANGE 2 WEST,
G&SRB&M AND TERMINATING AT THE
PROPOSED TS5 SUBSTATION IN SECTION
29, TOWNSHIP 4 NORTH, RANGE 4 WEST,
G&SRB&M

Docket No. L-00000D-04-0127

Case No. 127

DECISION NO. 67828

The Arizona Corporation Commission ("Commission") has conducted its review, pursuant to
A.R.S. § 40-360.07. The Commission finds and concludes that the Certificate of Environmental
Compatibility ("CEC") issued by the Arizona Power Plant and Transmission Line Siting Committee
("Committee") is hereby granted by this Order.

...

...

...

Decision No. _____

1 The Commission further finds and concludes that: (1) the Project is in the public interest
2 because it aids the state in meeting the need for an adequate, economical and reliable supply of
3 electric power; (2) in balancing the need for the Project with its effect on the environment and
4 ecology of the state, the conditions placed on the CEC by the Committee effectively minimize its
5 impact on the environment and ecology of the state; (3) the conditions placed on the CEC by the
6 Committee resolve matters concerning the need for the Project and its impact on the environment and
7 ecology of the state raised during the course of proceedings, and as such, serve as the findings on the
8 matters raised; and (4) in light of these conditions, the balancing in the broad public interest results in
9 favor of granting the CEC.

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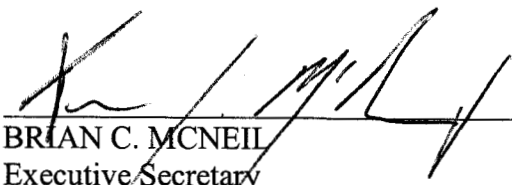
28 . . .

1 THE CEC ISSUED BY THE SITING COMMITTEE IS
2 INCORPORATED HEREIN AND IS APPROVED BY ORDER OF THE
3 ARIZONA CORPORATION COMMISSION
4

5  CHAIRMAN
6  COMMISSIONER
7  COMMISSIONER

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9  COMMISSIONER
10  COMMISSIONER

11
12 IN WITNESS WHEREOF, I BRIAN C. MCNEIL, Executive
13 Secretary of the Arizona Corporation Commission, have
14 hereunto, set my hand and caused the official seal of this
15 Commission to be affixed at the Capitol, in the City of Phoenix,
16 this 5th day of May,
17 2005.

18 
19 BRIAN C. MCNEIL
20 Executive Secretary

21 DISSENT: _____

22 DISSENT: _____

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**BEFORE THE ARIZONA POWER PLANT AND
TRANSMISSION LINE SITING COMMITTEE**

IN THE MATTER OF THE APPLICATION
OF ARIZONA PUBLIC SERVICE
COMPANY IN CONFORMANCE WITH
THE REQUIREMENTS OF ARIZONA
REVISED STATUTES SECTION 40-360,
et seq., FOR A CERTIFICATE OF
ENVIRONMENTAL COMPATIBILITY
AUTHORIZING THE WEST VALLEY
NORTH 230KV TRANSMISSION LINE
PROJECT, INCLUDING THE
CONSTRUCTION OF APPROXIMATELY
25 MILES OF 230KV TRANSMISSION
LINES AND TWO SUBSTATIONS IN
MARICOPA COUNTY, ARIZONA,
ORIGINATING AT THE TS2
SUBSTATION IN SECTION 25 TOWNSHIP
3 NORTH, RANGE 2 WEST, G&SRB&M
AND CONTINUING TO THE PROPOSED
TS1 SUBSTATION IN SECTION 20,
TOWNSHIP 4 NORTH, RANGE 2 WEST,
G&SRB&M AND TERMINATING AT THE
PROPOSED TS5 SUBSTATION IN
SECTION 29, TOWNSHIP 4 NORTH,
RANGE 4 WEST, G&SRB&M

Docket No. L00000D-04-0127

Case No. 127

Decision No. 67828

CERTIFICATE OF ENVIRONMENTAL COMPATIBILITY

Pursuant to notice given as provided by law, the Arizona Power Plant and Transmission Line Siting Committee (the "Committee") held public hearings on January 24 and 25, February 28 and March 1, 2005, all in conformance with the requirements of Arizona Revised Statutes § 40-360, *et seq.*, for the purpose of receiving evidence and deliberating on the Application of Arizona Public Service Company ("Applicant") for a Certificate of Environmental Compatibility in the above-captioned case. A route tour was conducted on February 22, 2005.

1 The following members and designees of members of the Committee were present
2 at one or more of the hearings for the evidentiary presentations and/or for the
3 deliberations:

4 Laurie Woodall	Chairman, Designee for Arizona Attorney General, Terry Goddard
5 Ray Williamson	Designee for Chairman, Arizona Corporation 6 Commission
7 Paul Rasmussen	Designee for Director, Arizona Department of 8 Environmental Quality
9 Mark McWhirter	Designee for Director, Energy Department, Arizona Department of Commerce
10 Greg Houtz	Designee Director, Arizona Department of Water 11 Resources
12 Sandie Smith	Appointed Member
13 Jeff McGuire	Appointed Member
14 Margaret Trujillo	Appointed Member
15 A. Wayne Smith	Appointed Member
16 Michael Whalen	Appointed Member
17 Michael Palmer	Appointed Member

18 The Applicant was represented by Thomas H. Campbell and Carol S. Comer of
19 Lewis and Roca LLP. The following parties were granted intervention pursuant to A.R.S.
20 § 40-360.05: Arizona Corporation Commission Staff, represented by Lisa Vandenberg and
21 Diane Targovnik; Pulte Homes, represented by C. Webb Crockett of Fennemore Craig;
22 Suburban Land Reserve, Inc., Property Reserve Arizona, LLC and Fulton Homes, Inc.,
23 represented by Richard R. Thomas of Beus Gilbert PLLC; 10,000 West LLC and Stardust
24 Development, Inc., represented by Lynne A. Lagarde of Earl Curley & Lagarde; South
25 Side of Olive Avenue Property Owners and Hogan, Parker, Ivan and McDuff, LLC,
26 represented by Court S. Rich of Rose Law Group, P.C.; Maricopa Water District,

1 represented by John R. Dacey of Gammage & Burnham; and propria persona, Walter W.
2 Meek.

3 At the conclusion of the hearings, the Committee, having received the Application,
4 the appearances of the parties, the evidence, testimony and exhibits presented at the
5 hearings, and being advised of the legal requirements of Arizona Revised Statutes §§ 40-
6 360 to 40-360.13, upon motion duly made and seconded, voted unanimously to grant the
7 Applicant a Certificate of Environmental Compatibility (Case No. 127) for authority to
8 construct the following facilities as requested in the Application: a double circuit 230kV
9 transmission line with a 69kV underbuild within a corridor as indicated below, two
10 substations and related facilities.

11 The West Valley – North transmission line route (depicted on Exhibit A (attached))
12 will begin at the TS2 substation site located on the northwest corner of Loop 303 and
13 Olive Avenue in Section 25, Township 3 North, Range 2 West (certificated in West
14 Valley-South, Case 122). From there, the transmission line will extend north along the
15 west side of Loop 303 within a 1500 foot corridor west of the centerline of Loop 303 and
16 as close to Loop 303 as the City of Surprise, Maricopa County and the Arizona
17 Department of Transportation will allow (and is technically feasible) to Cactus Road in
18 Section 13, Township 3 North, Range 2 West. The line will then continue west along the
19 north side of Cactus Road within a 1000 foot corridor from the centerline of Cactus and as
20 close to Cactus Road as the City of Surprise will allow (and is technically feasible) to 0.5
21 mile east of the 195th Avenue/Jackrabbit Trail alignment. The line will then extend north
22 along the mid-section line between Perryville Road and the 195th Avenue/Jackrabbit Trail
23 alignment in Section 16, Township 3 North, Range 2 West within a 4000 foot corridor
24 (1,000 feet east and 3,000 feet west of the mid-section line), continue to the mid-section
25 line 0.5 mile north of Union Hills Drive in Section 28, Township 4 North, Range 2 West,
26 and then turn west along the mid-section line between Union Hills Drive and Beardsley

1 Road within a 4000 foot corridor (2,000 feet north and 2,000 feet south of the mid-section
2 line) to a point 0.5 mile west of the 195th Avenue/Jackrabbit Trail alignment in Section 29,
3 Township 4 North, Range 2 West. The line will then extend north along the mid-section
4 line of Section 20, Township 4 North, Range 2 West within a 4000 foot corridor (1,000
5 feet east and 3,000 feet west of the mid-section line) into the proposed TS1 230 kV/69 kV
6 substation after crossing under the existing 500kV transmission lines. The proposed TS1
7 substation would include up to 10 acres of land located in the SE ¼ of the NW ¼ of
8 Section 20, Township 4 North, Range 2 West, approximately at the half-section line north
9 of Beardsley Road. The line will continue west out of the proposed TS1 substation along
10 the north side of the existing 500kV transmission line corridor, to 243rd Avenue within a
11 1000 foot corridor from the north boundary of the existing transmission line corridor right
12 of way, turn north on 243rd Avenue, which is the section line between Sections 20 and 21,
13 Township 4 North, Range 3 West within a 1000 foot corridor (500 feet on either side of
14 the 243rd Avenue centerline), and then cross the CAP Canal on the section line between
15 Sections 16 and 17, Township 4 North, Range 3 West. The line will extend west generally
16 paralleling the CAP Canal on the north side of the Canal within a 2500 foot corridor from
17 the fence-line of the Canal until, approximately, the mid-section of Section 20, Township
18 4 North, Range 4 West where the line will cross to the south side of the CAP Canal. The
19 line will continue south on the mid-section line of Sections 20 and 29 (291st Avenue
20 alignment), Township 4 North, Range 4 West within a 2000 foot corridor (a 1000 foot
21 corridor on either side of the 291st Avenue alignment), and then into the proposed TS5
22 500kV/230kV/69kV substation located in Section 29, Township 4 North, Range 4 West,
23 within the 4000 foot corridor described in the notice of hearing published on November
24 30, 2004 in the *Arizona Republic* newspaper.

25 The Project shall be constructed with double circuit monopoles from the TS2
26 substation site to the TS1 substation and from the existing 500kV transmission line

1 corridor at 243rd Avenue to the proposed TS5 substation site. Double circuit 69kV may be
2 constructed on monopoles in all sections where monopoles are placed.

3 The Project shall be constructed with double circuit lattice towers west out of the
4 TS1 substation until the line turns north from the existing 500 kV transmission line
5 corridor at 243rd Avenue.

6 This Certificate is granted upon the following conditions:

- 7 1. The Applicant shall obtain all required approvals and permits
8 necessary to construct the Project.
- 9 2. The Applicant shall comply with all existing applicable air and water
10 pollution control standards and regulations, and with all existing
11 applicable ordinances, master plans and regulations of the State of
12 Arizona, the County of Maricopa, the United States, and any other
13 governmental entities having jurisdiction.
- 14 3. This authorization to construct the Project shall expire 10 years from
15 the date the Certificate is approved by the Arizona Corporation
16 Commission unless construction is completed to the point that the
17 Project is capable of operating by that time; provided, however, that
18 the authorization to construct the second circuit of the Project shall
19 expire 20 years from the date of this Certificate; provided however
20 that prior to either such expiration the Applicant or its assignees may
21 request that the Commission extend this time limitation.
- 22 4. The Applicant shall make every reasonable effort to identify and
23 correct, on a case-specific basis, all complaints of interference with
24 radio or television signals from operation of the transmission line and
25 related facilities addressed in this Certificate. The Applicant shall
26 maintain written records for a period of five years of all complaints of

1 radio or television interference attributable to operation, together with
2 the corrective action taken in response to each complaint. All
3 complaints shall be recorded to include notations on the corrective
4 action taken. Complaints not leading to a specific action or for which
5 there was no resolution shall be noted and explained. The record shall
6 be signed by the Applicant and also the complainant, if possible, to
7 indicate concurrence with the corrective action or agreement with the
8 justification for a lack of action.

9 5. The Project shall comply with applicable noise guidelines of the
10 federal Department of Housing and Urban Development and the
11 Environmental Protection Agency.

12 6. Applicant shall maintain a setback distance of 100 feet from the toe of
13 McMicken Dam for any lattice tower or monopole structure related to
14 the Project.

15 7. The Applicant has consulted with the State Historic Preservation
16 Office ("SHPO") and by letter dated January 6, 2005, SHPO
17 determined that the Beardsley Canal (AZ T:6:5 ASTM) is eligible for
18 inclusion in the State Register of Historic Places. In order to
19 minimize impacts to properties considered eligible for inclusion in the
20 State and National Register of Historic Places to the extent possible,
21 the Applicant shall comply with SHPO's recommendations in the
22 January 6, 2005 letter, including the recommendation that the Project
23 span Beardsley Canal. A copy of this letter is Attachment B.

24 8. If human remains and/or funerary objects are encountered during the
25 course of any ground disturbing activities relating to the development
26 of the subject property, Applicant shall cease work on the affected

1 area of the Project and notify the Director of the Arizona State
2 Museum in accordance with A.R.S. § 41-865.

3 9. Applicant shall consult an archeologist during construction activities
4 in applicable areas, as determined by SHPO, to advise them in
5 connection with any additional archeological studies that may be
6 required and any mitigation efforts for archeological sites that may be
7 affected by the construction of the Project.

8 10. After construction, the Applicant, in conjunction with any applicable
9 land managing agency, shall allow Arizona Site Stewards, a
10 volunteer-staffed SHPO program, to periodically inspect
11 archeological sites within the corridor for vandalism or other damage.

12 11. The Applicant shall follow the Arizona State Land Department's
13 instructions, if any, regarding the treatment of State Register of
14 Historic Places-eligible properties situated on Arizona State Land
15 Department land in consultation with SHPO.

16 12. In consultation with SHPO and the land-managing agency, the
17 Applicant will consider and assess potential direct and indirect
18 impacts to eligible properties related to new access roads or any
19 existing access roads that require blading.

20 13. Where practicable, the Applicant shall use existing roads for
21 construction and access. The Applicant shall minimize vegetation
22 disturbance outside of the power-line right of way, particularly in
23 drainage channels and along stream banks, and shall re-vegetate
24 native areas of construction disturbance outside of the power-line
25 right of way after construction has been completed.
26

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1 14. The Applicant shall use non-specular conductor and dulled surfaces
2 for transmission line structures.

3 15. Within 45 days of securing easement or right of way for the Project,
4 the Applicant shall erect and maintain signs providing public notice
5 that the property is the site of a future transmission line or substation
6 site. Such signage shall be no smaller than a normal roadway sign
7 printed on materials of a color designed to attract attention. The
8 Applicant shall place signs such that the public is notified along the
9 full length of the transmission line until the transmission structures
10 are constructed. There must also be signs at the location of the
11 proposed substations. The signs shall advise:

- 12 • that the site has been approved for the construction of Project
- 13 facilities including a 230 kV transmission line, as applicable to the
- 14 individual site;
- 15 • the size and location of the respective substations;
- 16 • the expected date of completion of the Project facilities;
- 17 • a phone number for public information regarding the Project;
- 18 • the name of the project;
- 19 • the name of the applicant; and
- 20 • the applicant's website.

21 16. In the event that the Project requires an extension of the term of this
22 Certificate prior to completion of construction, Applicant shall use
23 reasonable means to directly notify all landowners and residents
24 within a one-half mile radius of the Project facilities for which the
25 extension is sought. Such landowners and residents shall be notified
26

1 of the time and place of the proceeding in which the Commission
2 shall consider such request for extension.

- 3 17. Before construction on this Project may commence, the Applicant
4 must file a construction mitigation and reclamation plan with ACC
5 Docket Control with copies to affected areas of jurisdiction. The
6 Applicant shall, within one year of completion of construction of the
7 Project, revegetate any native area disturbed by construction of the
8 Project outside of the power-line right of way, except for any road
9 that may be necessary to access the transmission lines or substation
10 sites for maintenance and repair.

11 The goals of the Plan will be to:

- 12 • Avoid impacts where practical;
13 • Where impacts are unavoidable, minimize impacts; and
14 • Focus on site preparation to facilitate natural processes of
15 revegetation and drainage.

16 Other key elements of the Plan, when not inconsistent with the
17 respective land management agencies' or local owners' requirements
18 are to:

- 19 • Emphasize final site preparation to encourage natural
20 revegetation;
21 • Avoid (i.e., preserve), where practical, mature native trees;
22 • Stipulate a maximum construction corridor width;
23 • Reserve topsoil and native plant materials from right-of-way
24 before grading, and distribute over the right-of-way after
25 construction is complete;
26

- Imprint the reclaimed right-of-way to provide indentations to catch seed and water;
- Implement best management practices to protect the soil;
- Apply reclamation methods that have been proven effective in the desert environment; and
- Prevent, where applicable, the spread of noxious weeds or other undesirable species.

18. Applicant shall comply with the mitigation measures contained in the December 27, 2004 letter from Arizona Game and Fish Department to the Power Plant and Transmission Line Siting Committee which is attached as Exhibit C.

19. Applicant shall monitor all ground clearing/disturbance activities that could affect sensitive species or habitat. Where warranted, Applicant shall retain a qualified biologist to conduct pre-construction activities to minimize or prevent impacts to sensitive species or habitat. Specifically, Applicant shall survey or monitor for Sonoran desert tortoises. If desert tortoises are encountered during construction, the Applicant shall follow the Arizona Game & Fish Department's Guidelines for Handling Sonoran Desert Tortoises.

20. Applicant shall salvage mesquite, ironwood, palo verde trees and saguaros removed during project construction activities consistent with Arizona's Native Plant Law and use the vegetation for reclamation in or near its original location.

21. Applicant shall work with the applicable jurisdictions to implement landscaping for the substation sites in accordance with municipal planning and zoning requirements.

- 1 22. Applicant shall submit a self-certification letter annually, identifying
2 which conditions contained in the Certificate have been met. Each
3 letter shall be submitted to the Utilities Division Director on
4 December 1, beginning in 2006. Attached to each certification letter
5 shall be documentation explaining, in detail, how compliance with
6 each condition was achieved. Copies of each letter, along with the
7 corresponding documentation, shall also be submitted to the Arizona
8 Attorney General and Department of Commerce Energy Office.
- 9 23. With respect to the Project, Applicant shall participate in good faith in
10 state and regional transmission study forums, and shall coordinate
11 transmission expansion plans related to the Project to resolve
12 transmission constraints in a timely manner.
- 13 24. Applicant shall provide copies of this Certificate to appropriate city
14 and county planning agencies, SHPO, AGFD and ASLD.
- 15 25. Applicant shall work with developers along the route to encourage
16 them to include the identity and location of the certificated route in
17 the developers' homeowners' disclosure statement.
- 18 26. Applicant shall publish a copy of this certificate and the attachments
19 on Applicant's project website within 10 days of approval of the
20 Commission.

21 GRANTED this 21st day of MARCH 2005.

22 **THE ARIZONA POWER PLANT AND**
23 **TRANSMISSION LINE SITING COMMITTEE**

24 By: 
25 Laurie A. Woodall, Chairman

26 274440

Decision No. **67828**

EXHIBIT 'A'

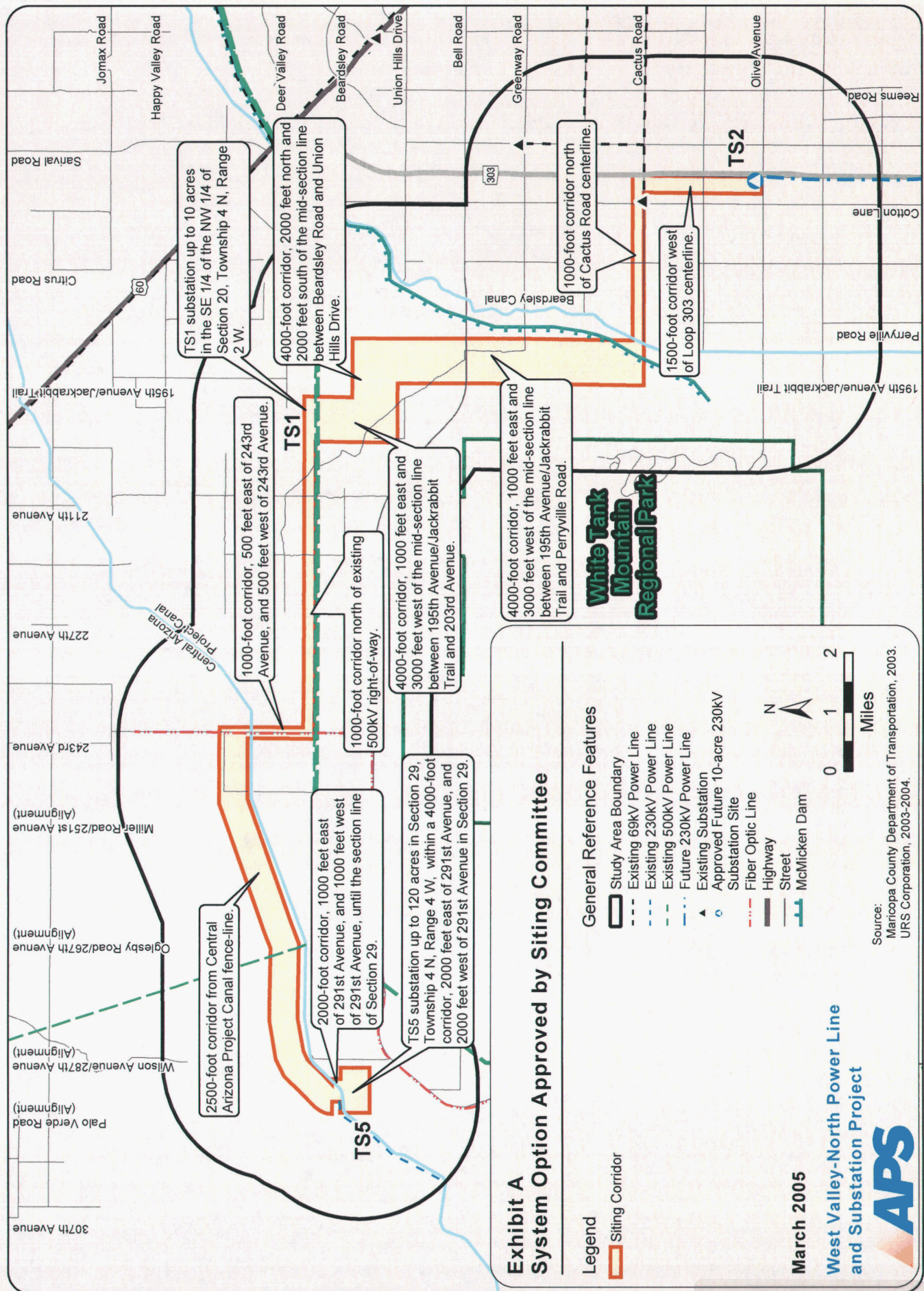
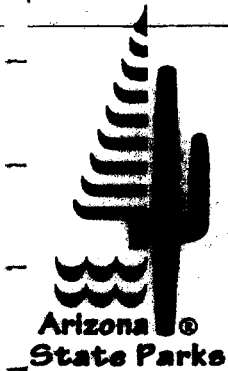


EXHIBIT 'B'



In reply, please refer to
SHPO-2004-2278 (22372)
State Historic Preservation Act
no historic properties affected

January 6, 2005

Laurie A. Woodall, Chairperson,
Power Plant and Transmission Line Siting Committee
Assistant Attorney General, Environmental Enforcement Section,
Office of the Attorney General
1275 West Washington
Phoenix, Arizona 85007

Janet Napolitano
Governor

RE: Arizona Public Service (APS) West Valley-North Transmission Line and
Substation Project, Maricopa County, Arizona; Case No. 127

State Parks
Board Members

Dear Ms. Woodall:

Chair
John U. Hays
Yarnell

Thank you for consulting with this office regarding the above-mentioned state plan and associated certificate of environmental compatibility. The proposed plan entails the construction of ca. 25.1 miles of overhead utility lines, access roads as needed and two substations. The plan involves mainly private land, although some Maricopa County Flood Control District, Arizona State Land Department, U.S Bureau of Reclamation, lands are present. We received both the Application and a cultural resources survey report. Historian Bill Collins and I reviewed the documents submitted and offer the following comments pursuant to the State Historic Preservation Act (i.e., A.R.S. § 41-861 to 41-864) and the committee's factors to be considered (i.e., A.R.S. § 40-360.06.A.5).

Elizabeth Stewart
Tempe

William C. Porter
Kingman

William Cordasco
Flagstaff

Gabriel Beechum
Florence

Janice Chilton
Payson

Mark Windelman
State Land
Commissioner

Our advice to a state agency under state law should not be used or construed in any way to substitute for or limit our advice to a federal agency under federal law much less foreclose or limit a federal agency's decision-making ability. If a federal agency is associated with this state plan, they may have undertaking and need to consult with our office directly under Section 106 of the National Historic Preservation Act if they haven't done so already.

Kenneth E. Travous
Executive Director

The cultural resource survey of the proposed right-of-way corridor identified four historic-period structures, seven historic or prehistoric archaeological sites and 34 isolated artifact and/or feature occurrences (IOs). The report was professionally prepared and well written.

Arizona State Parks
1300 W. Washington
Phoenix, AZ 85007

Tel & TTY: 602.542.4174
www.azstateparks.com

800.285.3703 from
(520 & 928) area codes

We agree that the Beardsley Canal (AZ T:6:5 ASM) is eligible for inclusion in the State Register of Historic Places. We agree that the Atchison Topeka & Santa Fe Railroad Spur, McMicken Dam, an unnamed earthwork structure (AZ T:7:344 ASM), Site AZ T:6:3.(ASU), and Sites AZ T:6: 13, 14, 96, 97, 98, and 99 (ASM), as

General Fax:
602.542.4180

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Director's Office Fax:
602.542.4188

well as the 34 IOs are ineligible for inclusion in the State Register of Historic Places at this time. We note that McMicken Dam is not yet 50 years old and its Register-eligibility status may need to be reassessed in the future. Please consider any comments the committee receives from the land-managing agency.

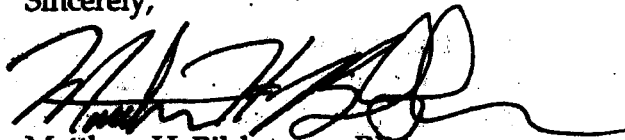
Based on the above, a finding of no impacts (cf. no historic properties affected) is warranted for this plan and no further preservation treatment is needed provided that the transmission line avoids impacting the Beardsley Canal by spanning over it as planned.

We offer the following condition for the committee's consideration:

1) Should an archaeological, paleontological, or historical site or object be discovered during plan-related activities on state, city, or county land, the person in charge is required to notify promptly the Director of the Arizona State Museum and take reasonable steps to secure and maintain the resource's preservation pursuant to state law (i.e., A.R.S. § 41-844). If a discovery involves human remains or funerary objects and occurs on private land, procedures implementing A.R.S. § 41-865 must be followed.

We appreciate the committee's cooperation with this office in considering the effects of state plans on cultural resources situated in Arizona. If you have any questions, please contact me at (602) 542-7137 or via mbilsbarrow@pr.state.az.us.

Sincerely,



Matthew H. Bilsbarrow, RPA
Planner / Archaeologist
Arizona State Historic Preservation Office

cc.
Bill Collins, SHPO
Gene Rogge, URS

EXHIBIT 'C'



THE STATE OF ARIZONA
GAME AND FISH DEPARTMENT

2221 WEST GREENWAY ROAD, PHOENIX, AZ 85023-4399
(602) 942-3000 • AZGFD.COM

GOVERNOR
JANET NAPOLITANO
COMMISSIONERS
CHAIRMAN, SUSAN E. CHILTON, ARIZONA
W. HAYS GILSTRAP, PHOENIX
JOE MELTON, YUMA
MICHAEL M. GOLIGHTLY, FLAGSTAFF
WILLIAM H. MCLEAN, GOLD CANYON
DIRECTOR
DUANE L. SHROUPE
DEPUTY DIRECTOR
STEVE K. FERRELL



December 27, 2004

Ms. Laurie A. Woodall, Chairman
Power Plant and Transmission Line Siting Committee
Office of the Attorney General
1275 West Washington
Phoenix, Arizona 85007

RECEIVED
BY: *M. D.*

Re: Certificate of Environmental Compatibility for the West Valley-North Power Line and Substation Project

Dear Chairman Woodall:

The Arizona Game and Fish Department (Department) has reviewed the above-referenced Certificate of Environmental Compatibility (CEC) for potential impacts to fish and wildlife resources. The Department understands that the proposed project consists of constructing one 230 kilovolt (kV) substation, one 500 kV substation, and associated 230 kV power lines. These infrastructure upgrades are to improve electrical reliability and to accommodate for future electrical load growth occurring within and around the study areas.

Based on information within the CEC application, it appears that the majority of the proposed routes will follow the existing 500 kV power line, Central Arizona Project Canal, routes or roadways in/near residential areas. We support locating power lines along previously disturbed routes to minimize any impacts to wildlife and associated habitats. We also understand that land adjacent to the proposed corridor has been designated for development and would be developed prior to the construction of the power line, further reducing the potential for impacts from this project.

Since various raptor species may use transmission line support structures for perching and/or nesting, the Department recommends that APS follow the established guidelines within their Raptor Protection Program to ensure that necessary preventative measures are incorporated into the project to minimize the potential for electrocution to raptors.

The proposed substation sites as assessed in Exhibit D, conclude disturbance in the area would generate low impacts to wildlife and associated habitats, due to the existing vegetation communities and existing dirt roads; however, the xeroriparian and wash bottom communities do provide important movement corridors for wildlife. The Department supports the recommendations listed in this Exhibit with regards to the Preferred System Option and the avoidance of these wash communities to minimize any potential fragmentation of these corridors.

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Ms. Laurie A. Woodall

December 27, 2004

2

The Department appreciates the opportunity to review this CEC application prior to consideration by the Power Plant and Transmission Line Siting Committee. We look forward to working closely with the Committee in the future to develop potential alternatives and appropriate mitigation to avoid or minimize impacts to fish and wildlife resources as a result of proposed powerplant and transmission line projects. If you have any questions or require any additional information regarding this letter, please contact me at (602) 789-3605.

Sincerely,



Bob Broscheid

Habitat Branch Chief

BB:kh

cc: Rebecca Davidson, Project Evaluation Program Supervisor
Russ Haughey, Habitat Program Manager, Region VI
Mike DeWitt, APS Project Manager

Decision No. 67828